

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

STEVEN A. KEGEL,  
Plaintiff,

vs.

BROWN & WILLIAMSON TOBACCO  
CORPORATION; R.J. REYNOLDS  
TOBACCO CO.; *et al.*,  
Defendants.

Case No.: 3:06-cv-00093-BES (VPC)

**STIPULATION TO EXTEND TIME FOR  
PLAINTIFF TO FILE HIS OPPOSITION  
TO DEFENDANTS' MOTION TO  
DISMISS PLAINTIFF'S TENTH CLAIM  
FOR RELIEF AND HIS REPLY TO  
DEFENDANTS' POINTS AND  
AUTHORITIES IN OPPOSITION TO  
MOTION FOR RECONSIDERATION  
[THIRD REQUEST]**

Pursuant to Local Rules 6-1 and 7-1, Plaintiff Steven Kegel and Defendants Brown & Williamson Tobacco Corporation, Brown & Williamson Tobacco Corporation Short Term Disability Plan For Salaried Employees; Brown & Williamson Tobacco Corporation Welfare & Fringe Benefit Plan; Retirement Plan For Salaried Employees Of Brown & Williamson Tobacco Corporation and Certain Affiliates; R.J. Reynolds Tobacco Company; Brown & Williamson Tobacco Corporation/Reynolds American Inc. Special Severance Benefits; and RAI Employee Benefits Committee hereby **STIPULATE** and **AGREE** to an additional amount of time for Plaintiff Steven Kegel to file his Opposition to Defendants' Motion to Dismiss

1 Plaintiff's Tenth Claim for Relief and to file his Reply to Defendants' Point and Authorities in  
2 Opposition to Motion for Reconsideration to and including June 22, 2009.

3 Although Plaintiff's counsel have been arduously working on the Opposition and Reply,  
4 due to the complexity of the issues and Plaintiff's counsels' calendars, they are unable to  
5 complete the Opposition and Reply by the current deadline.

6 The parties state that the present Stipulation for Extension of Time is made in good  
7 faith, not for purpose of delay, and there is good cause for the extension. Barring any  
8 unforeseen circumstances, the parties agree that no further extensions of time will be  
9 requested.

10 DATED this 10<sup>th</sup> day of June, 2009.

11 ROSE LAW OFFICE

MORRIS & PETERSON

12  
13 By: /s/ Sean P. Rose

By: /s/Suellen Fulstone (*with permission*)

14 SEAN P. ROSE, ESQ.

SUELLEN FULSTONE, ESQ.

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18 *Attorney for Plaintiff*

*Attorney for Defendants*

19 *Steven Kegel*

*Brown & Williamson, et al./*

*R.J. Reynolds Tobacco*

*Company, et al.*

20 IT IS SO ORDERED.

21 

22  
23 LARRY R. HICKS

UNITED STATES DISTRICT JUDGE

24 DATED: June 11, 2009